

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Sachin Kumar,

Petitioner,

vs.

Chad Wolf, et al.,

Respondent.

No. CV-20-00814-PHX-SPL

ORDER

Sachin Kumar has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1). Respondent filed a Motion to Dismiss under Fed. R. Civ.P. 12(b)(3) (Doc. 20), and Petitioner filed an Opposition to the Respondents’ Motion to Dismiss (Doc. 22). The Respondents also filed a Reply in Support of Respondents’ Motion to Dismiss. (Doc. 23). This Court is also in receipt of Petitioner’s Objections (Doc. 28), and the Respondents Response to Petitioner’s Objection to the Report & Recommendation. (Doc. 29). The United States Magistrate Judge has issued a Report and Recommendation (“R&R”) recommending that the Court grant the Motion to Dismiss (Doc. 27). The Petitioner does not appear to object to the correctness of the factual background in the R&R, which the Court adopts and incorporates. For the following reasons, the Court accepts and adopts the R&R.

A district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). When a party files a timely objection to an R&R, the district judge reviews *de novo* those portions of the R&R

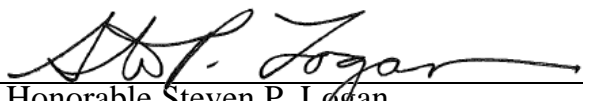
that have been “properly objected to.” Fed. R. Civ. P. 72(b). A proper objection requires specific written objections to the findings and recommendations in the R&R. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); 28 U.S.C. § 636(b)(1). It follows that the Court need not conduct any review of portions to which no specific objection has been made. *See Reyna-Tapia*, 328 F.3d at 1121; *see also Thomas v. Arn*, 474 U.S. 140, 149 (1985) (discussing the inherent purpose of limited review is judicial economy). Further, a party is not entitled as of right to *de novo* review of evidence or arguments which are raised for the first time in an objection to the R&R, and the Court’s decision to consider them is discretionary. *United States v. Howell*, 231 F.3d 615, 621-622 (9th Cir. 2000).

The Court has undertaken an extensive review of the issues presented in the Objections. Having carefully reviewed the record, the R&R will be adopted in full. Accordingly,

IT IS ORDERED:

1. That the Report and Recommendation (Doc. 27) is **accepted** and **adopted** by the Court;
2. That Petitioner’s Objections (Doc. 28) are **overruled**;
3. That the Motion to Dismiss/Transfer (Doc. 20) is **granted**;
4. That Petitioner’s Writ of Habeas Corpus (Doc. 1) will be **transferred** to the United States District Court for the Southern District of Mississippi; and
5. That the Clerk of Court shall terminate this action.

Dated this 11th day of September, 2020.


 Honorable Steven P. Logan
 United States District Judge